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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,479	11/01/2000	Alfred Busch	CM1758M/VB	1247

27752 7590 04/15/2004

THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
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CINCINNATI, OH 45224

EXAMINER

KUMAR, PREETI

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 04/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

09/674,479

Applicant(s)

BUSCH ET AL.

Examiner

Preeti Kumar

Art Unit

1751

All participants (applicant, applicant's representative, PTO personnel):

(1) Preeti Kumar. (3) _____.

(2) Julie McConihay. (4) _____.

Date of Interview: 06 April 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: Fowler (US 6,268,196).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Ms. McConihay asked if the proposed amendment (attached to this interview summary) would put the claims in condition for allowance. Examiner Kumar informed her that the proposed amendments may overcome the rejection of record, which would be decided upon after further review of the prior art when the formal response is filed, but another reference could possibly be used as there is a very long list of linker regions in the claim 1. Ms. McConihay went into reciting the teachings of col.3-4 and 11 of the prior art, and stated that the instant claims are drawn to a catalytically active EGI bound to a linking region. Examiner suggested that she clearly point out how the teachings of the prior art differ from that which is claimed in the instant claims..

Procter & Gamble

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FACSIMILE TRANSMITTAL SHEET

Number of Pages Including Transmittal Sheet: 5

Date 3/30/04

To: Examiner Preeti Kumar

From: Julie A. McConihay

Location: USPTO

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IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL THE
PERSON WHO SENT THE MESSAGE AT THE ABOVE NUMBER

COMMENTS:

Examiner Kumar:

This unofficial communication concerns "Laundry Detergent and/or Fabric Care Compositions Comprising a Modified Cellulase," Application No. 09/674,479 and Attorney Docket No. CM1758M/VB.

I am submitting to you a synopsis of what I would like to discuss with you during our phone interview scheduled for 10 a.m. April 6, 2004. Specifically, I would like to propose the attached

claim amendments in order to place the application in condition for allowance. Please note that the proposed amendments are underlined in the attached document for your convenience and that they include the following:

(1) Claim 1 has been amended to more particularly define the invention

Applicants have amended Claim 1, from which the balance of the rejected claims ultimately depend, to remove the recitation of "CenA cellulase linker", as a suitable region of the modified enzyme disclosed therein. The Office Action asserts that Fowler discloses a catalytic domain of *C. fimi* CenA isolated from protease cleaved cellulase which does not disrupt the fibril structure of cellulose and instead smoothes the surface of the fiber. The Office Action further asserts that based upon the purported disclosure by Fowler that one of ordinary skill in the art would have been motivated to utilize a CenA glycosylated on proline and threonine rich linkers. In light of the present amendment to Claim 1, Applicants assert that Fowler in view of Schulein neither teaches nor suggests a modified enzyme comprising a catalytically active amino acid sequence with a highly specific linking region selected from the group set forth in presently amended Claim 1. Accordingly, reconsideration and withdrawal of the rejections of Claims 1, 2 and 22-35 under 35 USC § 103(a) would be respectfully requested.

(2) Claims 1, 27 and 28 have been amended to correct typographical errors

Examiner Kumar, thank you for taking the time to speak with me, I am looking forward to it. Please feel free contact me in the meantime at (513) 634-9076 if you would like me to send you any additional information.

Thank you



Julie A. McConihay
Attorney for Applicants
Registration No. 55,439

UNOFFICIAL COMMUNICATION

Proposed Claim Amendments for Application No. 09/674,479

Claim 1 (Currently amended): A modified enzyme which comprises a catalytically active amino acid sequence derived from a cellulolytic enzyme EGI exhibiting the following properties:

- (a) derived from *Humicola insolens* or *Trichoderma reesei*,
- (b) approximate molecular weight of about 50 kDa,
- (c) iso-electric point of 5.5, and
- (d) containing 415 amino acids;

linked to an amino acid sequence comprising a cellulose binding domain;

wherein said modified enzyme comprises a linking region between said catalytically active amino acid sequence of a cellulolytic enzyme EGI and said amino acid sequence comprising a cellulose binding domain;

further wherein said linking region is an amino acid linking region or non-amino acid linking region; and

further wherein said linking region is selected from the group consisting of: *Humicola insolens* family 45 cellulase linker, Nifa gene of *Klebsiella pneumoniae*-CiP linker, E3 cellulase *Thermomonospora fusca* linker, ~~CenA-cellulase linker~~, nucleophilic polyethylene glycol derivative linker, carboxyl polyethylene glycol derivative linker, electrophilically activated polyethylene glycol derivative linker, sulfhydryl-selective polyethylene glycol derivative linker, ~~heterofunctional~~ heterofunctional polyethylene glycol derivative linker, biotin polyethylene glycol derivative linker, vinyl polyethylene glycol derivative linker, polyethylene glycol silane derivative linker, polyethylene glycol phospholipid derivative linker and mixtures thereof.

Claim 2 (Original): A modified enzyme according to claim 1 wherein the amino acid sequence comprising a cellulose binding domain is selected from the group consisting of CBD CenC, CenA, Cex from *Cellulomonas fimi*, CBD CBHI from *Trichoderma reesei*, CBD Cellulozome from *Clostridium cellulovorans*, CBD E3 from *Thermomonospora fusca*, CBD-dimer from *Clostridium stecorarium* XynA, CBD from *Bacillus agaradherens*, CBD family 45 from *Humicola insolens* and/or mixtures thereof.

Claims 3-21 (Canceled)

Claim 22 (Previously presented): A laundry detergent and/or fabric care composition comprising a laundry detergent and/or fabric care ingredient and a modified enzyme according to claim 1.

Claim 23 (Previously presented): A laundry detergent and/or fabric care composition according to claim 22 wherein said modified enzyme is present at a level of from about 0.0001% to about 2% pure modified enzyme by weight of total composition.

Claim 24 (Previously presented): A laundry detergent and/or fabric care composition according to claim 23 wherein said modified enzyme is present at a level of from about 0.0001% to about 0.5% pure modified enzyme by weight of total composition.

Claim 25 (Previously presented): A laundry detergent and/or fabric care composition according to claim 24 wherein said modified enzyme is present at a level of from about 0.0005% to about 0.1% pure modified enzyme by weight of total composition.

Claim 26 (Previously presented): A laundry detergent and/or fabric care composition according to claim 22 further comprising a builder component.

Claim 27 (Currently amended): A laundry detergent and/or fabric care composition according to claim 26 wherein said builder is selected from the group consisting of zeolite A, sodium ~~tripolyphosphate~~ tripolyphosphate and/or mixtures thereof.

Claim 28 (Currently amended): A laundry detergent and/or fabric care composition according to ~~claims~~ claim 22 further comprising a smectite clay.

Claim 29 (Previously presented): A laundry detergent and/or fabric care composition according to claim 22 comprising a cationic surfactant.

Claim 30 (Previously presented): A laundry detergent and /or fabric care composition according to claim 29 wherein said cationic surfactant comprises two long alkyl chain lengths.

Claim 31 (Previously presented): A laundry detergent and/or fabric care composition according to claim 22 further comprising a proteolytic enzyme.

Claim 32 (Previously presented): A laundry detergent and/or fabric care composition according to claim 22 further comprising a bleaching agent.

Claim 33 (Previously presented): A laundry detergent and/or fabric care composition according to claim 22 which is in the form of an additive, a pre-treatment, a soaking treatment and/or a rinsing treatment composition.

Claim 34 (Previously presented): A method comprising the step of contacting a fabric with a laundry detergent and/or fabric care composition according to claim 22 for fabric cleaning and/or fabric stain removal and/or fabric whiteness maintenance.

Claim 35 (Previously presented): A method comprising the step of contacting a fabric with a laundry detergent and/or fabric care composition according to claim 22 for fabric care, including anti-bobbling, depilling, fabric softness, colour appearance and fabric anti-wear properties and benefits.